

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

AHMED BIPLOP

Petitioner,

v.

MICHAEL CHERTOFF, et al.,

Respondents.

Hon. FAITH S. HOCHBERG

Civil Action No. 08-1852 (FSH)

**STIPULATION AND ORDER OF
WITHDRAWAL OF MOTION FOR
ORDER TO SHOW CAUSE**

WHEREAS, plaintiff filed a Motion for an Order to Show Cause regarding plaintiff's transfer to an Alabama facility pending his deportation; and

WHEREAS the Court ordered an Answer to the Motion to be filed no later than October 6, 2008 ; and

WHEREAS, counsel for plaintiff and defendant have met and conferred and have resolved the matter at issue; to wit, plaintiff was inadvertently transferred to the Alabama facility due to space issues and has been promptly processed for return to the New Jersey facility, arriving no later than October 7, 2008; and

WHEREAS, plaintiff's continued detention is currently being reviewed; and

WHEREAS, in light of these arrangements plaintiff no longer wishes to proceed with the Motion for an Order to Show Cause,

THEREFORE, the plaintiff agrees to withdraw the Motion for an Order to Show cause; and

For good cause shown,

It is on this day of , 2008

Ordered that the Motion and Order for an Answer to the Motion for an Order to Show Cause is withdrawn without prejudice.

Date: October 3, 2008

CHRISTOPHER J. CHRISTIE
United States Attorney

By: S/ Leah A. Bynon
LEAH A. BYNON
Assistant United States Attorney

By: SAP
SANDRO PATERNO, Esq.
Attorney for Petitioner

SO ORDERED:

Faith S. Hochberg
FAITH S. HOCHBERG
UNITED STATES DISTRICT JUDGE
10-10-08